



IFW 2143

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PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/496,009	
	Filing Date	February 01, 2000	
	First Named Inventor	Raymond W. Ellis	
	Group Art Unit	2143	
	Examiner Name	Vaughn Jr., William C	
Total Number of Pages in This Submission		Attorney Docket Number	34741-970

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Copies of Ten (10) Prior Art References and Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott D. Sanford, Reg No. 51,170 - O'Melveny & Myers LLP
Signature	
Date	February 26, 2007

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as <u>first class mail in an</u> envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: <u>February 26, 2007</u>	
Typed or printed name	Scott D. Sanford
Signature	
Date	February 26, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: Raymond W. Ellis et al.
SC/Serial No.: 09/496,009
Filed: February 1, 2000
Confirm. No.: 5583
Title: Apparatus and Method for Web-Based Tool Management

PATENT

Art Unit: 2143
Examiner: Vaughn Jr, William C

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

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Scott D. Sanford

Signature Date: February 26, 2007

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an information disclosure statement submitted in the parent application which complies with the Sept. 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

- ☐ **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

This statement should be considered because:

- ☐ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);

-- OR --

- (2) It is being filed within 3 months of entry of a national stage;

-- OR --

- (3) It is being filed before the mailing date of the first Office Action on the merits,

-- OR --

- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

- ☒ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- ☒ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).

-- OR --

- ☐ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

- ☐ **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the issue fee;

-- AND --

- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);

-- AND --

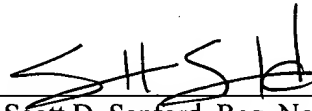
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-3548.

Respectfully submitted,

O'MELVENY & MYERS LLP

Date: February 26, 2007

By: 
Scott D. Sanford, Reg. No. 51,170

Scott D. Sanford, Esq.
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street, 26th Floor
San Francisco, California 94111-3344
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

STATEMENT

*(Attachment to Information Disclosure Statement)
(Use only if required)*

- ☐ 37 C.F.R. §1.97(e)(1). THE UNDERSIGNED ATTORNEY HEREBY STATES THAT each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or
- ☒ 37 C.F.R. §1.97(e)(2). THE UNDERSIGNED ATTORNEY HEREBY STATES THAT no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

O'MELVENY & MYERS LLP

Date: February 26, 2007

By: _____

Scott D. Sanford, Reg. No. 51,170

Scott D. Sanford, Esq.
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street, 26th Floor
San Francisco, California 94111-3344
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/496,009
Filing Date	February 1, 2000
First Named Inventor	Raymond W. Ellis
Art Unit	2143
Examiner Name	Vaughn Jr., William C
Attorney Docket Number	34741-970

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,948,063	9/7/1999	Cooper, et al.	
		US- 5,961,588	10/5/1999	Cooper, et al.	
		US- 5,809,028	9/15/1998	Nethercott, et al.	
		US- 6,021,331	2/1/2000	Cooper, et al.	
		US- 6,094,678	7/25/2000	Nethercott, et al.	
		US- 6,418,214	7/9/2002	Smythe, et al.	
		US- 6,826,439	11/30/2004	Barber, et al.	
		US- 6,167,451	12/26/2000	Stracke, Jr.	
		US- 6,842,660	1/11/2005	Tripathi, et al.	
		US- 7,031,783	4/18,2006	O'Grady, et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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